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February 22, 2005

VIA HAND DELIVERY

The Honorable Gregory M. Sleet
United States District Judge
J. Caleb Boggs Federal Building
844 N. King Street, Lockbox 18
Wilmington, DE 19801

Re: Merck & Co. Inc. v. Apotex, Inc.
C. A. No. 06-230-GMS

Dear Judge Sleet:

Briefing is now complete on Plaintiff Merck's Motion to Dismiss. Pursuant to L.R. 7.1.4., Defendant Apotex hereby requests oral argument on that motion. We would be prepared to appear in person or by telephone.

Counsel are available at the Court's convenience if Your Honor has any questions.

Respectfully submitted,

/s/ Richard L. Horwitz

Richard L. Horwitz

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cc: Clerk of the Court (via hand delivery)
Mary Graham (via electronic mail)
Louise Walsh (via electronic mail)